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110TH CONGRESS
1ST SESSION

S. 2049

To prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP).

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2007

Mr. KENNEDY (for himself, Mr. SMITH, Mr. ROCKEFELLER, Ms. SNOWE, Mr. MENENDEZ, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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SECTION 1. REVOCATION OF POLICIES TO PROHIBIT STATES FROM PROVIDING QUALITY HEALTH COVERAGE TO CHILDREN IN NEED UNDER THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP).

(a) NULLIFICATION OF AUGUST 17, 2007, REQUIREMENTS.—The August 17, 2007, letter to State Health Officials from the Director of the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services to such officials requiring States that have established or that expand the income eligibility level for children under the State Children's Health Insurance Program (SCHIP) above 250 percent of the Federal poverty level to comply with new requirements as a condition of covering such children, is null and void and shall not be applied.

(b) PROHIBITION OF SIMILAR PROVISIONS.—The Secretary of Health and Human Services shall not promulgate or implement any requirement, rule, or provision that is similar to any requirement in the August 17, 2007, letter described in subsection (a) and shall not apply any such requirement or any similar requirement to any State plan amendment or waiver expanding the income eligibility level for children in SCHIP.

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